

4159. Misbranding of Miracle hearing aid. U. S. v. 450 Devices, etc. (F. D. C. No. 35209. Sample No. 39517-L.)

LABEL FILED: May 6, 1953, Southern District of California.

ALLEGED SHIPMENT: On or about August 8, 1952, from East Orange, N. J., by Borden Conrad, trading as the Miracle Hearing Aid Co. of California.

PRODUCT: 450 devices called the *Miracle hearing aid* at Hollywood, Calif., together with a number of circulars entitled "Sensational, New Miracle Hearing Aid" and a number of leaflets entitled "Instructions and Guide in Using and Handling Miracle Hearing Aid Efficiently."

The device consisted of a piece of wire, twisted into the shape of a miniature tuning fork, and rubber discs with perforated centers into which the wire was to be inserted.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circulars and leaflets accompanying the device were false and misleading. The statements represented and suggested that the device provided an adequate and effective aid to auditory acuity of deaf persons, whereas the device did not provide an adequate and effective aid to the auditory acuity of deaf persons.

DISPOSITION: June 5, 1953. Default decree of condemnation and destruction.

DRUG FOR VETERINARY USE*

4160. Adulteration and misbranding of Hepto-Sol solution. U. S. v. 39 Bottles * * *. (F. D. C. No. 35010. Sample No. 38936-L.)

LABEL FILED: On or about April 28, 1953, Western District of Virginia.

ALLEGED SHIPMENT: On or about March 19, 1953, by the Atlantic Supply Co., from Duncannon, Pa.

PRODUCT: 39 1-gallon bottles of *Hepto-Sol solution* at Harrisonburg, Va. Analysis showed that each 100 cc. of the product contained not more than 0.12 gram of 2-amino-5-nitrothiazole.

LABEL, IN PART: "1 Gallon Hepto-Sol Solution of 2-Amino-5-Nitrothiazole In An Excess of Sodium Hydroxide for the Prevention and Control of Enterohепtatitis (Blackhead) in Turkeys. Each 100 CC Contains 7.68 Grams of 2-Amino-5-Nitrothiazole."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it purported and was represented to possess, namely, 7.68 grams of 2-amino-5-nitrothiazole in each 100 cc.

Misbranding, Section 502 (a), the label statement "Each 100 CC Contains 7.68 Grams of 2-Amino-5-Nitrothiazole" was false and misleading as applied to the article, which contained less than 7.68 grams of 2-amino-5-nitrothiazole in each 100 cc.

DISPOSITION: June 5, 1953. Default decree of condemnation and destruction.

*See also No. 4157.